

**BEFORE THE
BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**ARMANYOUS HEALTHCARE INC. DBA
ALAMO PHARMACY, AFIFI GUIRGUIS
ARMANYOUS,
Permit No. PHY 51901; and**

**AFIFI GUIRGUIS ARMANYOUS,
Pharmacist License No. RPH 45321,**

Respondents

Agency Case No. 6610

OAH No. 2020020970

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on November 25, 2020.

It is so ORDERED on October 26, 2020.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Greg M. Lippe", is written over a horizontal line.

By

Greg Lippe
Board President

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Attorney General of California
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Supervising Deputy Attorney General
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7

8 **BEFORE THE**
9 **BOARD OF PHARMACY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 **ARMANYOUS HEALTHCARE INC. DBA**
14 **ALAMO PHARMACY, AFIFI GUIRGUIS**
15 **ARMANYOUS**
16 **3695 Alamo St., Ste. 100**
17 **Simi Valley, CA 93063**

18 **Permit No. PHY 51901,**

19 **and**

20 **AFIFI GUIRGUIS ARMANYOUS**
21 **12612 El Oro Way**
22 **Granada Hills, CA 91344**

23 **Pharmacist License No. RPH 45321**

24 Respondents.

Case No. 6610

OAH No. 2020020970

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

25 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
26 entitled proceedings that the following matters are true:

27 **PARTIES**

28 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
(Board). She brought this action solely in her official capacity and is represented in this matter by

1 Xavier Becerra, Attorney General of the State of California, by Vinodhini Ramagopal, Deputy
2 Attorney General.

3 2. Respondent Armanyous Healthcare Inc. dba Alamo Pharmacy, Afifi Guirguis
4 Armanyous, owner and Pharmacist-in-Charge, and Afifi Guirguis Armanyous (Respondents) are
5 represented in this proceeding by attorney Herb L. Weinberg, whose address is: 1990 S. Bundy
6 Dr., Ste. 777, Los Angeles, Ca 90025.

7 3. On or about August 5, 2014, the Board issued Permit Number PHY 51901 to
8 Armanyous Healthcare Inc. dba Alamo Pharmacy, Afifi Guirguis Armanyous, owner and
9 Pharmacist-in-Charge (Respondent Alamo Pharmacy). Afifi Guirguis Armanyous is and has been
10 the Pharmacist-in-Charge of Respondent Alamo Pharmacy since July 29, 2014. The Permit was
11 in full force and effect at all times relevant to the charges brought herein and will expire on
12 August 1, 2021, unless renewed.

13 4. On or about May 4, 1992, the Board issued Pharmacist License Number RPH 45321
14 to Afifi Guirguis Armanyous (Respondent Armanyous). The Pharmacist License was in full
15 force and effect at all times relevant to the charges brought herein and will expire on May 31,
16 2022, unless renewed.

17 **JURISDICTION**

18 5. Accusation No. 6610 was filed before the Board and is currently pending against
19 Respondents. The Accusation and all other statutorily required documents were properly served
20 on Respondents on August 23, 2019. Respondents timely filed their Notice of Defense contesting
21 the Accusation.

22 6. A copy of Accusation No. 6610 is attached as exhibit A and incorporated herein by
23 reference.

24 **ADVISEMENT AND WAIVERS**

25 7. Respondents have carefully read, fully discussed with counsel, and understand the
26 charges and allegations in Accusation No. 6610. Respondents have also carefully read, fully
27 discussed with counsel, and understand the effects of this Stipulated Settlement and Disciplinary
28 Order.

8. Respondents are fully aware of their legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against them; the right to present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

9. Respondents voluntarily, knowingly, and intelligently waive and give up each and every right set forth above.

CULPABILITY

10. Respondent Alamo Pharmacy understands and agrees that the charges and allegations in Accusation No. 6610, if proven at a hearing, constitute cause for imposing discipline upon its Permit.

11. Respondent Armanyous understands and agrees that the charges and allegations in Accusation No. 6610, if proven at a hearing, constitute cause for imposing discipline upon his Pharmacist License.

12. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondents agree that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and that Respondents hereby give up their right to contest those charges.

13. Respondent Alamo Pharmacy agrees that its Permit is subject to discipline and they agree to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

14. Respondent Armanyous agrees that his Pharmacist License is subject to discipline and they agree to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

RESERVATION

15. The admissions made by Respondents herein are only for the purposes of this proceeding, or any other proceedings in which the Director of Consumer Affairs, Board of

1 Pharmacy, or other professional licensing agency is involved, and shall not be admissible in any
2 other criminal or civil proceeding.

3 **CONTINGENCY**

4 16. This stipulation shall be subject to approval by the Board of Pharmacy. Respondents
5 understand and agree that counsel for Complainant and the staff of the Board of Pharmacy may
6 communicate directly with the Board regarding this stipulation and settlement, without notice to
7 or participation by Respondents or their counsel. By signing the stipulation, Respondents
8 understand and agree that they may not withdraw their agreement or seek to rescind the
9 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
10 stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of
11 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between
12 the parties, and the Board shall not be disqualified from further action by having considered this
13 matter.

14 17. The parties understand and agree that Portable Document Format (PDF) and facsimile
15 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
16 signatures thereto, shall have the same force and effect as the originals.

17 18. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
18 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
19 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
20 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
21 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
22 writing executed by an authorized representative of each of the parties.

23 19. In consideration of the foregoing admissions and stipulations, the parties agree that
24 the Board may, without further notice or formal proceeding, issue and enter the following
25 Disciplinary Order:

26 **DISCIPLINARY ORDER – RESPONDENT ALAMO PHARMACY**

27 IT IS HEREBY ORDERED that Permit No. PHY 51901 issued to Respondent Armanyous
28 Healthcare Inc. dba Alamo Pharmacy, Afifi Guirguis Armanyous is revoked. However, the

1 revocation is stayed and Respondent Alamo Pharmacy is placed on probation for five (5) years on
2 the following terms and conditions:

3 **1. Definition: Respondent**

4 For the purposes of these terms and conditions, "Respondent" shall refer to Armanyous
5 Healthcare Inc. dba Alamo Pharmacy, Afifi Guirguis Armanyous, owner and Pharmacist-in-
6 Charge. All terms and conditions stated herein shall bind and be applicable to the licensed
7 premises and to all owners, managers, officers, administrators, members, directors, trustees,
8 associates, or partners thereof. For purposes of compliance with any term or condition, any report,
9 submission, filing, payment, or appearance required to be made by Respondent to or before the
10 Board or its designee shall be made by an owner or executive officer with authority to act on
11 behalf of and legally bind the licensed entity.

12 **2. Obey All Laws**

13 Respondent shall obey all state and federal laws and regulations.

14 Respondent shall report any of the following occurrences to the Board, in writing, within
15 seventy-two (72) hours of such occurrence:

- 16 • an arrest or issuance of a criminal complaint for violation of any provision of the
17 Pharmacy Law, state and federal food and drug laws, or state and federal controlled
18 substances laws;
- 19 • a plea of guilty, or nolo contendere, no contest, or similar, in any state or federal criminal
20 proceeding to any criminal complaint, information or indictment;
- 21 • a conviction of any crime; or
- 22 • discipline, citation, or other administrative action filed by any state or federal agency
23 which involves Respondent's Pharmacist License or which is related to the practice of
24 pharmacy or the manufacturing, obtaining, handling or distributing, billing, or charging
25 for any dangerous drug, and/or dangerous device or controlled substance.

26 Failure to timely report any such occurrence shall be considered a violation of probation.

27 **3. Report to the Board**

28 Respondent shall report to the Board quarterly, on a schedule as directed by the Board or its

1 designee. The report shall be made either in person or in writing, as directed. Among other
2 requirements, Respondent shall state in each report under penalty of perjury whether there has
3 been compliance with all the terms and conditions of probation. Failure to submit timely reports
4 in a form as directed shall be considered a violation of probation. Any period(s) of delinquency
5 in submission of reports as directed may be added to the total period of probation. Moreover, if
6 the final probation report is not made as directed, probation shall be automatically extended until
7 such time as the final report is made and accepted by the Board.

8 4. **Interview with the Board**

9 Upon receipt of reasonable prior notice, Respondent shall appear in person for interviews
10 with the Board or its designee, at such intervals and locations as are determined by the Board or
11 its designee. Failure to appear for any scheduled interview without prior notification to Board
12 staff, or failure to appear for two (2) or more scheduled interviews with the Board or its designee
13 during the period of probation, shall be considered a violation of probation.

14 5. **Cooperate with Board Staff**

15 Respondent shall timely cooperate with the Board's inspection program and with the
16 Board's monitoring and investigation of Respondent's compliance with the terms and conditions
17 of the probation, including but not limited to: timely responses to requests for information by
18 Board staff; timely compliance with directives from Board staff regarding requirements of any
19 term or condition of probation; and timely completion of documentation pertaining to a term or
20 condition of probation. Failure to timely cooperate shall be considered a violation of probation.

21 6. **Reimbursement of Board Costs**

22 As a condition precedent to successful completion of probation, Respondent shall pay to the
23 Board its costs of investigation and prosecution in the amount of twelve thousand five hundred
24 dollars (\$12,500). Respondent shall be permitted to pay these costs in a payment plan approved
25 by the Board or its designee, so long as full payment is completed no later than one (1) year prior
26 to the end date of probation. Failure to pay costs by the deadline(s) as directed shall be considered
27 a violation of probation.

28 ///

1 **7. Probation Monitoring Costs**

2 Respondent shall pay any costs associated with probation monitoring as determined by the
3 Board each and every year of probation. Such costs shall be payable to the Board on a schedule as
4 directed by the Board or its designee. Failure to pay such costs by the deadline(s) as directed shall
5 be considered a violation of probation.

6 **8. Status of License**

7 Respondent shall, at all times while on probation, maintain current Pharmacist License with
8 the Board. Failure to maintain current licensure shall be considered a violation of probation.

9 If Respondent's license expires or is cancelled by operation of law or otherwise at any time
10 during the period of probation, including any extensions thereof or otherwise, upon renewal or
11 reapplication Respondent's license shall be subject to all terms and conditions of this probation
12 not previously satisfied.

13 **9. License Surrender While on Probation**

14 Following the effective date of this decision, should Respondent wish to discontinue
15 business, Respondent may tender the premises license to the Board for surrender. The Board or its
16 designee shall have the discretion whether to grant the request for surrender or take any other
17 action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the
18 license, Respondent will no longer be subject to the terms and conditions of probation.

19 Respondent may not apply for any new license from the Board for three (3) years from the
20 effective date of the surrender. Respondent shall meet all requirements applicable to the license
21 sought as of the date the application for that license is submitted to the Board.

22 Respondent further stipulates that it shall reimburse the Board for its costs of investigation
23 and prosecution prior to the acceptance of the surrender.

24 **10. Sale or Discontinuance of Business**

25 During the period of probation, should Respondent sell, trade or transfer all or part of the
26 ownership of the licensed entity, discontinue doing business under the license issued to
27 Respondent, or should practice at that location be assumed by another full or partial owner,
28 person, firm, business, or entity, under the same or a different premises license number, the Board

1 or its designee shall have the sole discretion to determine whether to exercise continuing
2 jurisdiction over the licensed location, under the current or new premises license number, and/or
3 carry the remaining period of probation forward to be applicable to the current or new premises
4 license number of the new owner.

5 **11. Notice to Employees**

6 Respondent shall, upon or before the effective date of this decision, ensure that all
7 employees involved in permit operations are made aware of all the terms and conditions of
8 probation, either by posting a notice of the terms and conditions, circulating such notice, or both.
9 If the notice required by this provision is posted, it shall be posted in a prominent place and shall
10 remain posted throughout the probation period. Respondent shall ensure that any employees hired
11 or used after the effective date of this decision are made aware of the terms and conditions of
12 probation by posting a notice, circulating a notice, or both. Additionally, Respondent shall submit
13 written notification to the Board, within fifteen (15) days of the effective date of this decision,
14 that this term has been satisfied. Failure to timely provide such notification to employees, or to
15 timely submit such notification to the Board shall be considered a violation of probation.

16 "Employees" as used in this provision includes all full-time, part-time, volunteer,
17 temporary and relief employees and independent contractors employed or hired at any time
18 during probation.

19 **12. Owners and Officers: Knowledge of the Law**

20 Respondent shall provide, within thirty (30) days after the effective date of this decision,
21 signed and dated statements from its owners, including any owner or holder of ten percent (10%)
22 or more of the interest in Respondent or Respondent's stock, and all of its officer, stating under
23 penalty of perjury that said individuals have read and are familiar with state and federal laws and
24 regulations governing the practice of pharmacy. The failure to timely provide said statements
25 under penalty of perjury shall be considered a violation of probation.

26 **13. Premises Open for Business**

27 Respondent shall remain open and engaged in its ordinary business as a pharmacy in
28 California for a minimum of one hundred and twenty (120) hours per calendar month. Any

month during which this minimum is not met shall toll the period of probation, i.e., the period of probation shall be extended by one month for each month during with this minimum is not met. During any such period of tolling of probation, Respondent must nonetheless comply with all terms and conditions of probation, unless Respondent is informed otherwise in writing by the Board or its designee. If Respondent is not open and engaged in its ordinary business as a pharmacy for a minimum of one hundred and twenty (120) hours in any calendar month, for any reason (including vacation), Respondent shall notify the Board in writing within ten (10) days of the conclusion of that calendar month. This notification shall include at minimum all of the following: the date(s) and hours Respondent was open; the reason(s) for the interruption or why business was not conducted; and the anticipated date(s) on which Respondent will resume business as required. Respondent shall further notify the Board in writing with ten (10) days following the next calendar month during which Respondent is open and engaged in its ordinary business as a pharmacy in California for a minimum of one hundred and twenty (120) hours. Any failure to timely provide such notification(s) shall be considered a violation of probation.

14. **Posted Notice of Probation**

Respondent shall prominently post a probation notice provided by the Board or its designee in a place conspicuous to and readable by the public within two (2) days of receipt thereof from the Board or its designee. Failure to timely post such notice, or to maintain the posting during the entire period of probation, shall be considered a violation of probation.

Respondent shall not, directly or indirectly, engage in any conduct or make any statement which is intended to mislead or is likely to have the effect of misleading any patient, customer, member of the public, or other person(s) as to the nature of and reason for the probation of the licensed entity.

15. **Violation of Probation**

If Respondent has not complied with any term or condition of probation, the Board shall have continuing jurisdiction over Respondent, and the Board shall provide notice to Respondent that probation shall automatically be extended, until all terms and conditions have been satisfied or the Board has taken other action as deemed appropriate to treat the failure to comply as a

1 violation of probation, to terminate probation, and to impose the penalty that was stayed. The
2 Board or its designee may post a notice of the extended probation period on its website.

3 If Respondent violates probation in any respect, the Board, after giving Respondent notice
4 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that
5 was stayed. If a petition to revoke probation or an accusation is filed against Respondent during
6 probation, or the preparation of an accusation or petition to revoke probation is requested from
7 the Office of the Attorney General, the Board shall have continuing jurisdiction and the period of
8 probation shall be automatically extended until the petition to revoke probation or accusation is
9 heard and decided, and the charges and allegations in Accusation No. 6610 shall be deemed true
10 and correct.

11 **16. Completion of Probation**

12 Upon written notice by the Board or its designee indicating successful completion of
13 probation, Respondent's license will be fully restored.

14 **17. Restricted Practice**

15 Respondents shall not prepare, oversee, or participate in the preparation of compounds
16 during probation. Upon request, Respondents shall submit to the Board or its designee on writing,
17 satisfactory proof of compliance with this restriction, including but not limited to a written
18 acknowledgment of this restriction signed by (a) Respondents' direct supervisor, (b) the
19 pharmacist-in-charge, and (c) the owner or owner representative of his or her employer, which
20 explains whether the workplace in question compounds drug preparations and how this restriction
21 will be enforced. Failure to abide by this restriction or to timely submit proof to the Board or its
22 designee shall be considered a violation of probation.

23 **DISCIPLINARY ORDER- RESPONDENT ARMANYOUS**

24 IT IS HEREBY ORDERED that Pharmacist License Number RPH 45321 issued to Afifi
25 Guirguis Armanyous (Respondent Armanyous) is revoked. However, the revocation is stayed
26 and Respondent is placed on probation for five (5) years on the following terms and conditions:

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28 ///

1 **1. Obey All Laws**

2 Respondent Armanyous shall obey all state and federal laws and regulations. Respondent
3 Armanyous shall report any of the following occurrences to the Board, in writing, within seventy-
4 two (72) hours of such occurrence:

- 5 • an arrest or issuance of a criminal complaint for violation of any provision of the
6 Pharmacy Law, state and federal food and drug laws, or state and federal controlled
7 substances laws
- 8 • a plea of guilty, or nolo contendere, no contest, or similar, in any state or federal
9 criminal proceeding to any criminal complaint, information or indictment
- 10 • a conviction of any crime
- 11 • the filing of a disciplinary pleading, issuance of a citation, or initiation of another
12 administrative action filed by any state or federal agency which involves
13 Respondent Armanyous's license or which is related to the practice of pharmacy or
14 the manufacturing, obtaining, handling, distributing, billing, or charging for any
15 drug, device or controlled substance.

16 Failure to timely report such occurrence shall be considered a violation of probation.

17 **2. Report to the Board**

18 Respondent Armanyous shall report to the Board quarterly, on a schedule as directed by the
19 Board or its designee. The report shall be made either in person or in writing, as directed. Among
20 other requirements, Respondent Armanyous shall state in each report under penalty of perjury
21 whether there has been compliance with all the terms and conditions of probation.

22 Failure to submit timely reports in a form as directed shall be considered a violation of
23 probation. Any period(s) of delinquency in submission of reports as directed may be added to the
24 total period of probation. Moreover, if the final probation report is not made as directed,
25 probation shall be automatically extended until such time as the final report is made and accepted
26 by the Board.

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1 **3. Interview with the Board**

2 Upon receipt of reasonable prior notice, Respondent Armanyous shall appear in person for
3 interviews with the Board or its designee, at such intervals and locations as are determined by the
4 Board or its designee. Failure to appear for any scheduled interview without prior notification to
5 Board staff, or failure to appear for two (2) or more scheduled interviews with the Board or its
6 designee during the period of probation, shall be considered a violation of probation.

7 **4. Cooperate with Board Staff**

8 Respondent Armanyous shall timely cooperate with the Board's inspection program and
9 with the Board's monitoring and investigation of Respondent Armanyous's compliance with the
10 terms and conditions of probation, including but not limited to: timely responses to requests for
11 information by Board staff; timely compliance with directives from Board staff regarding
12 requirements of any term or condition of probation; and timely completion of documentation
13 pertaining to a term or condition of probation. Failure to timely cooperate shall be considered a
14 violation of probation.

15 **5. Continuing Education**

16 Respondent Armanyous shall provide evidence of efforts to maintain skill and knowledge
17 as a pharmacist as directed by the Board or its designee.

18 **6. Reporting of Employment and Notice to Employers**

19 During the period of probation, Respondent Armanyous shall notify all present and
20 prospective employers of the decision in case number 6610 and the terms, conditions and
21 restrictions imposed on Respondent Armanyous by the decision, as follows:

22 Within thirty (30) days of the effective date of this decision, and within ten (10) days of
23 undertaking any new employment, Respondent Armanyous shall report to the Board in writing
24 the name, physical address, and mailing address of each of Entity employer(s), and the name(s)
25 and telephone number(s) of all of Entity direct supervisor(s), as well as any pharmacist(s)-in-
26 charge, designated representative(s)-in-charge, responsible manager, or other compliance
27 supervisor(s) and the work schedule, if known. Respondent Armanyous shall also include the
28 reason(s) for leaving the prior employment. Respondent Armanyous shall sign and return to the

1 Board a written consent authorizing the Board or its designee to communicate with all of
2 Respondent Armanyous's employer(s) and supervisor(s), and authorizing those employer(s) or
3 supervisor(s) to communicate with the Board or its designee, concerning Respondent
4 Armanyous's work status, performance, and monitoring. Failure to comply with the requirements
5 or deadlines of this condition shall be considered a violation of probation.

6 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
7 Respondent Armanyous undertaking any new employment, Respondent Armanyous shall cause
8 (a) Entity direct supervisor, (b) Entity pharmacist-in-charge, designated representative-in-charge,
9 responsible manager, or other compliance supervisor, and (c) the owner or owner representative
10 of Entity employer, to report to the Board in writing acknowledging that the listed individual(s)
11 have read the decision in case number 6610, and terms and conditions imposed thereby. If one
12 person serves in more than one role described in (a), (b), or (c), the acknowledgment shall so
13 state. It shall be the Respondent Armanyous's responsibility to ensure that these
14 acknowledgment(s) are timely submitted to the Board. In the event of a change in the person(s)
15 serving the role(s) described in (a), (b), or (c) during the term of probation, Respondent
16 Armanyous shall cause the person(s) taking over the role(s) to report to the Board in writing
17 within fifteen (15) days of the change acknowledging that he or she has read the decision in case
18 number 6610, and the terms and conditions imposed thereby.

19 If Respondent Armanyous works for or is employed by or through an employment service,
20 Respondent Armanyous must notify the person(s) described in (a), (b), and (c) above at every
21 entity licensed by the Board of the decision in case number 6610, and the terms and conditions
22 imposed thereby in advance of Respondent Armanyous commencing work at such licensed entity.
23 A record of this notification must be provided to the Board upon request.

24 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
25 (15) days of Respondent Armanyous undertaking any new employment by or through an
26 employment service, Respondent Armanyous shall cause the person(s) described in (a), (b), and
27 (c) above at the employment service to report to the Board in writing acknowledging that he or
28 she has read the decision in case number, and the terms and conditions imposed thereby. It shall

1 be Respondent Armanyous's responsibility to ensure that these acknowledgment(s) are timely
2 submitted to the Board.

3 Failure to timely notify present or prospective employer(s) or failure to cause the identified
4 person(s) with that/those employer(s) to submit timely written acknowledgments to the Board
5 shall be considered a violation of probation.

6 "Employment" within the meaning of this provision includes any full-time, part-time,
7 temporary, relief, or employment/management service position as a Pharmacist, or any position
8 for which a Pharmacist is a requirement or criterion for employment, whether Respondent
9 Armanyous is an employee, independent contractor or volunteer.

10 **7. Notification of Change(s) in Name, Address(es), or Phone Number(s)**

11 Respondent Armanyous shall further notify the Board in writing within ten (10) days of any
12 change in name, residence address, mailing address, e-mail address or phone number.

13 Failure to timely notify the Board of any change in employer, name, address, or phone
14 number shall be considered a violation of probation.

15 **8. Restrictions on Supervision and Oversight of Licensed Facilities**

16 During the period of probation, Respondent Armanyous shall not supervise any intern
17 pharmacist or serve as a consultant to any entity licensed by the Board. Respondent Armanyous
18 may be a pharmacist-in-charge, or responsible manager or other compliance supervisor of
19 Armanyous Healthcare Inc. dba Alamo Pharmacy only, but only if Respondent Armanyous or that
20 entity retains, at his own expense, an independent consultant who shall be responsible for
21 conducting an on-site physical inspection to review the operations of the entity on a monthly basis
22 for compliance by Respondent Armanyous and the entity with state and federal laws and
23 regulations governing the practice of the entity, and compliance by Respondent Armanyous with
24 the obligations of his supervisory position. During the period of probation, the Board or its
25 designee, retains the discretion to reduce the frequency and/or form of inspection of the
26 pharmacist consultant's review.

27 Respondent Armanyous shall submit the name of the proposed consultant to the Board or
28 its designee for approval within thirty (30) days of the effective date of the decision or prior to

1 assumption of duties allowed in this term. Assumption of any unauthorized supervision
2 responsibilities shall be considered a violation of probation. In addition, failure to timely seek
3 approval for, timely retain, or ensure timely reporting by the consultant shall be considered a
4 violation of probation.

5 **9. Reimbursement of Board Costs**

6 As a condition precedent to successful completion of probation, Respondent Armanyous
7 shall pay to the Board its costs of investigation and prosecution in the amount of twelve thousand
8 five hundred dollars (\$12,500). Respondent Armanyous shall be permitted to pay these costs in a
9 payment plan approved by the Board or its designee, so long as full payment is completed no later
10 than one (1) year prior to the end date of probation.

11 **10. Probation Monitoring Costs**

12 Respondent Armanyous shall pay any costs associated with probation monitoring as
13 determined by the Board each and every year of probation. Such costs shall be payable to the
14 Board on a schedule as directed by the Board or its designee. Failure to pay such costs by the
15 deadline(s) as directed shall be considered a violation of probation.

16 **11. Status of License**

17 Respondent Armanyous shall, at all times while on probation, maintain an active, current
18 Permit and Pharmacist License with the Board, including any period during which suspension or
19 probation is tolled. Failure to maintain an active, current Permit and Pharmacist License shall be
20 considered a violation of probation.

21 If Respondent Armanyous's Permit or Pharmacist License expires or is cancelled by
22 operation of law or otherwise at any time during the period of probation, including any extensions
23 thereof due to tolling or otherwise, upon renewal or reapplication Respondent Armanyous's
24 permit or license shall be subject to all terms and conditions of this probation not previously
25 satisfied.

26 **12. License Surrender While on Probation**

27 Following the effective date of this decision, should Respondent Armanyous cease practice
28 due to retirement or health, or be otherwise unable to satisfy the terms and conditions of

1 probation, Respondent Armanyous may relinquish Entity license, including any indicia of
2 licensure issued by the Board, along with a request to surrender the license. The Board or its
3 designee shall have the discretion whether to accept the surrender or take any other action it
4 deems appropriate and reasonable. Upon formal acceptance of the surrender of the license,
5 Respondent Armanyous will no longer be subject to the terms and conditions of probation. This
6 surrender constitutes a record of discipline and shall become a part of the Respondent
7 Armanyous's license history with the Board.

8 Upon acceptance of the surrender, Respondent Armanyous shall relinquish Entity pocket
9 and/or wall license, including any indicia of licensure not previously provided to the Board within
10 ten (10) days of notification by the Board that the surrender is accepted if not already provided.
11 Respondent Armanyous may not reapply for any license from the Board for three (3) years from
12 the effective date of the surrender. Respondent Armanyous shall meet all requirements applicable
13 to the license sought as of the date the application for that license is submitted to the Board,
14 including any outstanding costs.

15 **13. Practice Requirement – Extension of Probation**

16 Except during periods of suspension, Respondent Armanyous shall, at all times while on
17 probation, be employed as a Pharmacist in California for a minimum of eighty (80) hours per
18 **calendar month**. Any month during which this minimum is not met shall extend the period of
19 probation by one month. During any such period of insufficient employment, Respondent
20 Armanyous must nonetheless comply with all terms and conditions of probation, unless
21 Respondent Armanyous receives a waiver in writing from the Board or its designee.

22 If Respondent Armanyous does not practice as a Pharmacist in California for the minimum
23 number of hours in any calendar month, for any reason (including vacation), Respondent
24 Armanyous shall notify the Board in writing within ten (10) days of the conclusion of that
25 calendar month. This notification shall include at least: the date(s), location(s), and hours of last
26 practice; the reason(s) for the interruption or reduction in practice; and the anticipated date(s) on
27 which Respondent Armanyous will resume practice at the required level. Respondent Armanyous
28 shall further notify the Board in writing within ten (10) days following the next calendar month

1 during which Respondent Armanyous practices as a Pharmacist in California for the minimum of
2 hours. Any failure to timely provide such notification(s) shall be considered a violation of
3 probation.

4 It is a violation of probation for Respondent Armanyous's probation to be extended
5 pursuant to the provisions of this condition for a total period, counting consecutive and non-
6 consecutive months, exceeding thirty-six (36) months. The Board or its designee may post a
7 notice of the extended probation period on its website.

8 **14. Violation of Probation**

9 If Respondent Armanyous has not complied with any term or condition of probation, the
10 board shall have continuing jurisdiction over Respondent Armanyous, and the board shall provide
11 notice to Respondent Armanyous that probation shall automatically be extended, until all terms
12 and conditions have been satisfied or the board has taken other action as deemed appropriate to
13 treat the failure to comply as a violation of probation, to terminate probation, and to impose the
14 penalty that was stayed. The board or its designee may post a notice of the extended probation
15 period on its website.

16 If Respondent Armanyous violates probation in any respect, the board, after giving
17 Respondent Armanyous notice and an opportunity to be heard, may revoke probation and carry
18 out the disciplinary order that was stayed. If a petition to revoke probation or an accusation is
19 filed against Respondent Armanyous during probation, or the preparation of an accusation or
20 petition to revoke probation is requested from the Office of the Attorney General, the board shall
21 have continuing jurisdiction and the period of probation shall be automatically extended until the
22 petition to revoke probation or accusation is heard and decided, and the charges and allegations in
23 Accusation No. 6610 shall be deemed true and correct.

24 **15. Completion of Probation**

25 Upon written notice by the Board or its designee indicating successful completion of
26 probation, Respondent Armanyous's permit and license will be fully restored.

27 ///

28 ///

1 **16. Remedial Education**

2 Within sixty (60) days of the effective date of this decision, Respondent Armanyous shall
3 submit to the Board or its designee, for prior approval, an appropriate program of remedial
4 education courses related to the grounds for discipline, with 50% being in compounding-related
5 courses. The program of remedial education shall consist of at least ten (10) hours per year, 50%
6 must be a live webinar or in-person, which shall be completed at Respondent Armanyous's own
7 expense. All remedial education shall be in addition to, and shall not be credited toward,
8 continuing education (CE) courses used for license renewal purposes for pharmacists.

9 Failure to timely submit for approval or complete the approved remedial education shall be
10 considered a violation of probation. The period of probation will be automatically extended until
11 such remedial education is successfully completed and written proof, in a form acceptable to the
12 Board, is provided to the Board or its designee.

13 Following the completion of each course, the Board or its designee may require the
14 Respondent Armanyous, at Entity own expense, to take an approved examination to test
15 Respondent Armanyous's knowledge of the course. If Respondent Armanyous does not achieve
16 a passing score on the examination that course shall not count towards satisfaction of this term.
17 Respondent Armanyous shall take another course approved by the Board in the same subject area.

18 **17. Ethics Course**

19 Within sixty (60) calendar days of the effective date of this decision, Respondent
20 Armanyous shall enroll in a course in ethics, at Respondent Armanyous'ss expense, approved in
21 advance by the Board or its designee that complies with Title 16 California Code of Regulations
22 section 1773.5. Respondent Armanyous shall provide proof of enrollment upon request. Within
23 five (5) days of completion, Respondent Armanyous shall submit a copy of the certificate of
24 completion to the Board or its designee. Failure to timely enroll in an approved ethics course, to
25 initiate the course during the first year of probation, to successfully complete it before the end of
26 the second year of probation, or to timely submit proof of completion to the Board or its designee,
27 shall be considered a violation of probation.

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18. **No Ownership or Management of Licensed Premises**

Respondent Armanyous shall not acquire any new ownership, legal or beneficial interest nor serve as a manager, administrator, member, officer, director, trustee, associate, or partner of any additional business, firm, partnership, or corporation licensed by the Board. If Respondent Armanyous currently owns or has any legal or beneficial interest in, or serves as a manager, administrator, member, officer, director, trustee, associate, or partner of any business, firm, partnership, or corporation currently or hereinafter licensed by the Board, Respondent Armanyous may continue to serve in such capacity or hold that interest, but only to the extent of that position or interest as of the effective date of this decision. Violation of this restriction shall be considered a violation of probation.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Herb L. Weinberg. I understand the stipulation and the effect it will have on my Permit. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED:

7/7/2020

Afifi Armanyous

ARMANYOUS HEALTHCARE INC. DBA ALAMO
PHARMACY, AFIFI GUIRGUIS ARMANYOUS
Respondent

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Herb L. Weinberg. I understand the stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED:

7/7/2020

Afifi Armanyous

AFIFI GUIRGUIS ARMANYOUS
Respondent

1 I have read and fully discussed with Respondents Armanyous Healthcare Inc. dba Alamo
2 Pharmacy, Afifi Guirguis Armanyous (Respondent Alamo Pharmacy) and Afifi Guirguis
3 Armanyous (Respondent Armanyous), the terms and conditions and other matters contained in
4 the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

5
6 DATED: _____

HERB L. WEINBERG
Attorney for Respondents

8
9 **ENDORSEMENT**

10 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
11 submitted for consideration by the Board of Pharmacy.

12
13 DATED: _____

Respectfully submitted,

14 XAVIER BECERRA
Attorney General of California
15 MARC D. GREENBAUM
Supervising Deputy Attorney General

16
17 VINODHINI RAMAGOPAL
18 Deputy Attorney General
Attorneys for Complainant

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I have read and fully discussed with Respondents Armanyous Healthcare Inc. dba Alamo Pharmacy, Afifi Guirguis Armanyous (Respondent Alamo Pharmacy) and Afifi Guirguis Armanyous (Respondent Armanyous), the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED:

7/8/2020

HERB L. WEINBERG
Attorney for Respondents

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Pharmacy.

DATED: July 8, 2020

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
MARC D. GREENBAUM
Supervising Deputy Attorney General

VINODHINI RAMAGOPAL
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 6610

1 XAVIER BECERRA
Attorney General of California
2 KENT D. HARRIS
Supervising Deputy Attorney General
3 JOSHUA B. EISENBERG
Deputy Attorney General
4 State Bar No. 279323
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 210-6115
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8
9 **BEFORE THE**
BOARD OF PHARMACY
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12
13 In the Matter of the Accusation Against:
14 **ARMANYOUS HEALTHCARE INC. DBA**
ALAMO PHARMACY,
15 **AFIFI GUIRGUIS ARMANYOUS, Owner**
and PIC
16 **3695 Alamo St., Ste. 100**
Simi Valley, CA 93063

Case No. 6610

17
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19 **ACCUSATION**

20 **Permit No. PHY 51901,**

21 **and**

22 **AFIFI GUIRGUIS ARMANYOUS**
12612 El Oro Way
Granada Hills, CA 91344

23 **Pharmacist License No. RPH 45321**

24 Respondents.

25 **PARTIES**

26 1. Anne Sodergren (Complainant) brings this Accusation solely in her official capacity
27 as the Interim Executive Officer of the Board of Pharmacy, Department of Consumer Affairs
28 (Board).

2. On or about August 5, 2014, the Board issued Permit Number PHY 51901 to Armanyous Healthcare Inc. dba Alamo Pharmacy, Afifi Guirguis Armanyous, owner and Pharmacist-in-Charge (Respondent Alamo Pharmacy). , Afifi Guirguis Armanyous is and has been the Pharmacist-in-Charge of Respondent Alamo Pharmacy since July 29, 2014. The Permit was in full force and effect at all times relevant to the charges brought herein and will expire on August 1, 2020, unless renewed.

3. On or about May 4, 1992, the Board issued Pharmacist License Number RPH 45321 to Afifi Guirguis Armanyous (Respondent Armanyous). The Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2020, unless renewed.

JURISDICTION

4. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

5. Section 4300 of the Code states, in pertinent part:

(a) Every license issued may be suspended or revoked.

(b) The board shall discipline the holder of any license issued by the board, whose default has been entered or whose case has been heard by the board and found guilty, by any of the following methods:

(1) Suspending judgment.

(2) Placing him or her upon probation.

(3) Suspending his or her right to practice for a period not exceeding one year.

(4) Revoking his or her license.

(5) Taking any other action in relation to disciplining him or her as the board in its discretion may deem proper.

6. Section 4300.1 of the Code states:

The expiration, cancellation, forfeiture, or suspension of a board-issued license by operation of law or by order or decision of the board or a court of law, the placement of a license on a retired status, or the voluntary surrender of a license by a licensee shall not deprive the board of jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding against, the licensee or to render a decision suspending or revoking the license.

STATUTORY PROVISIONS

7. Section 4301 of the Code states, in pertinent part:

The board shall take action against any holder of a license who is guilty of unprofessional conduct or whose license has been issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the following:

(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or corruption, whether the act is committed in the course of relations as a licensee or otherwise, and whether the act is a felony or misdemeanor or not.

(j) The violation of any of the statutes of this state, of any other state, or of the United States regulating controlled substances and dangerous drugs.

(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision or term of this chapter or of the applicable federal and state laws and regulations governing pharmacy, including regulations established by the board or by any other state or federal regulatory agency.

8. Section 4022 of the Code states in pertinent part:

"Dangerous drug" . . . means any drug or device unsafe for self-use in humans or animals, and includes the following:

(a) Any drug that bears the legend: "Caution: federal law prohibits dispensing without prescription," "Rx only," or words of similar import.

. . .

(c) Any other drug . . . that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006.

9. Section 4081 of the Code states, in pertinent part:

(a) All records of manufacture and of sale, acquisition, or disposition of dangerous drugs or dangerous devices shall be at all times during business hours open to inspection by authorized officers of the law, and shall be preserved for at least three years from the date of making. A current inventory shall be kept by every manufacturer, wholesaler, pharmacy, . . . who maintains a stock of dangerous drugs or dangerous devices."

(b) The owner, officer, and partner of any pharmacy . . . shall be jointly responsible, with the pharmacist-in-charge or representative-in-charge, for maintaining the records and inventory described in this section.

10. Section 4113 states, in pertinent part:

(a) Every pharmacy shall designate a pharmacist-in-charge and within 30 days thereof, shall notify the board in writing of the identity and license number of that pharmacists and the date he or she was designated.

. . .

(c) The pharmacist-in-charge shall be responsible for a pharmacy's compliance with all state and federal laws and regulations pertaining to the practice of pharmacy.

...

11. Section 4307 states, in pertinent part:

"(a) Any person who has been denied a license or whose license has been revoked or is under suspension, or who has failed to renew his or her license while it was under suspension, or who has been a manager, administrator, owner, member, officer, director, associate, partner, or any other person with management or control of any partnership, corporation, trust, firm, or association whose application for a license has been denied or revoked, is under suspension or has been placed on probation, and while acting as the manager, administrator, owner, member, officer, director, associate, partner, or any other person with management or control had knowledge of or knowingly participated in any conduct for which the license was denied, revoked, suspended, or placed on probation, shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, partner, or in any other position with management or control of a licensee as follows:

"(1) Where a probationary license is issued or where an existing license is placed on probation, this prohibition shall remain in effect for a period not to exceed five years.

"(2) Where the license is denied or revoked, the prohibition shall continue until the license is issued or reinstated."

REGULATORY PROVISIONS

12. California Code of Regulations, Title 16, Section 1714 states, in pertinent part:

...

(b) Each pharmacy licensed by the board shall maintain its facilities, space, fixtures, and equipment so that drugs are safely and properly prepared, maintained, secured and distributed. The pharmacy shall be of sufficient size and unobstructed area to accommodate the safe practice of pharmacy.

...

(d) Each pharmacist while on duty shall be responsible for the security of the prescription department, including provisions for effective control against theft or diversion of dangerous drugs and devices, and records for such drugs and devices. Possession of a key to the pharmacy where dangerous drugs and controlled substances are stored shall be restricted to a pharmacist.

...

13. California Code of Regulations, title 16, section 1718, states as follows:

"Current Inventory" as used in Sections 4081 and 4332 of the Business and Professions Code shall be considered to include complete accountability for all dangerous drugs handled by every licensee enumerated in Sections 4081 and 4332.

The controlled substances inventories required by Title 21, CFR, Section 1304 shall be available for inspection upon request for at least 3 years after the date of the

inventory.

COST RECOVERY

14. Section 125.3 of the Code states, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

DRUGS

15. “Symmetrel” is a brand name for *amantadine* 100 mg and a dangerous drug within the meaning of Business and Professions Code section 4022.

16. “Lioresal” is a brand name for *baclofen* 10 mg and a dangerous drug within the meaning of Business and Professions Code section 4022.

17. “Flexeril” is a brand name for *cyclobenzaprine* 10 mg and a dangerous drug within the meaning of Business and Professions Code section 4022.

18. “Voltaren-XR” is a brand name for *diclofenac sod EC* 75 mg tablet and a dangerous drug within the meaning of Business and Professions Code section 4022.

FACTUAL ALLEGATIONS

19. From on or about August 5, 2014, Respondent Armanyous was the Pharmacist-in-Charge of Respondent Alamo Pharmacy.

20. On or about June 22, 2016, the Board received a written complaint from Humana alleging that Respondent Alamo Pharmacy used the powder form of amantadine, baclofen, cyclobenzaprine and diclofenac to compound pain creams. Humana was billed for the use of the tablet/capsule form of those ingredients to compound pain creams resulting in fraudulent billing because the powder form was less expensive than the capsule/tablet form of those drugs. According to Humana, they conducted an audit resulting in a chargeback of \$219,649.25.

1 21. A board investigator conducted an investigation of Respondent Alamo
2 Pharmacy during which she reviewed the compounding ingredient sheets and dispensing records.
3 The investigator performed an audit for the period of January 1, 2015, to March 8, 2017.

4 22. The Board investigator performed a zero based audit for amantadine 100 mg
5 capsules and cyclobenzaprine using the data provided by acquisition and disposition records of
6 wholesalers and the records provided by Respondent Alamo Pharmacy of the stock on hand. The
7 audit showed the pharmacy dispensed a greater amount of amantadine 100 mg capsules and
8 cyclobenzaprine than was purchased.

9 23. On September 5, 2018, the Board investigator received a
10 statement/questionnaire from Respondent Armanyous with the following question and
11 response:

12
13 a. Did you use the powder form of amantadine, baclofen, cyto benzaprine,
14 diclofenac sodium and lidocaine to compound pain creams (aman 10%-bac2%-
15 cyc2%-dic3%-gaba6%-lidoc5%; KBCDGTcream; ABCDGL cream) for Alamo
Pharmacy but process and bill the prescription insurance using the manufacturing
capsules and tablets of the ingredients listed above?

16 i. Yes, due to the fact that the tablets and capsule formed a very hard paste
17 which could not be put in human skin and rubbed, and these patients
were in great pain and needed help controlling the pain.

18 **RESPONDENT ALAMO PHARMACY**

19 **FIRST CAUSE FOR DISCIPLINE**

20 **(Failure to Maintain Records of Disposition of Dangerous Drugs)**

21 24. Respondent Alamo Pharmacy is subject to disciplinary action under Code sections
22 4300 and 4300.1, subdivisions (j) and (o), in conjunction with Code sections 4081, subdivision
23 (a), and 4105, in that it failed to maintain and preserve all records of acquisition, disposition, and
24 current inventory of dangerous drugs which resulted in their failure to have records of acquisition
25 and disposition to account for an inventory overage for amantadine 100 mg and cyclobenzaprine
26 10 mg tablets as set forth more specifically in paragraph 21, above, and which is incorporated
27 herein by reference.

28 //

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct)**

3 25. Respondent Alamo Pharmacy is subject to disciplinary action under Code section
4 4301(g) in that it processed and billed prescription insurance for compounded pain creams in
5 which it billed for using amantadine 100 mg capsule, baclofen 10 mg tablet, cyclobenzaprine 10
6 mg tablet and diclofenac sodium EC 75 mg tablets, but actually used the less expensive powder
7 form of amantadine, baclofen, cyto benzaprine, and diclofenac sodium, as set forth above in
8 paragraphs 19-22, and which is incorporated herein.

9
10 **RESPONDENT ARMANYOUS:**

11
12 **THIRD CAUSE FOR DISCIPLINE**

13 **(Failure to Maintain Records of Disposition of Dangerous Drugs)**

14 26. Under Code section 4113, the pharmacist-in-charge is responsible for a pharmacy's
15 compliance with all state and federal laws and regulations pertaining to the practice of pharmacy.
16 Respondent Armanyous, the Pharmacist-in-Charge of Respondent Alamo Pharmacy, is subject to
17 disciplinary action under Code sections 4300 and 4300.1, subdivisions (j) and (o), in conjunction
18 with Code sections 4081, subdivision (a), and 4105, in that he failed to maintain and preserve all
19 records of acquisition, disposition, and current inventory of dangerous drugs which resulted in
20 their failure to have records of acquisition and disposition to account for an inventory overage for
21 amantadine 100 mg and cyclobenzaprine 10 mg tablets as set forth more specifically in paragraph
22 21, above, and which is incorporated herein by reference.

23 **FOURTH CAUSE FOR DISCIPLINE**

24 **(Unprofessional Conduct)**

25 27. Under Code section 4113, the pharmacist-in-charge is responsible for a pharmacy's
26 compliance with all state and federal laws and regulations pertaining to the practice of pharmacy.
27 Respondent Armanyous, the Pharmacist-in-Charge of Respondent Alamo Pharmacy, is subject to
28 disciplinary action under Code section 4301(g) in that Alamo Pharmacy processed and billed

1 prescription insurance for compounded pain creams in which it billed for amantadine 100 mg
2 capsule, baclofen 10 mg tablet, cyclobenzaprine 10 mg tablet and diclofenac sodium EC 75 mg
3 tablets, but actually used the powder form of amantadine, baclofen, cytobenzaprine, and
4 diclofenac, as set forth above in paragraphs 19-22, and which is incorporated herein.

5 **OWNERSHIP PROHIBITION**

6
7 28. Business and Professions Code section 4307(a) provides, in pertinent part, that any
8 person whose license has been revoked or is under suspension shall be prohibited from serving as
9 a manager, administrator, owner, member, officer, director, associate or partner of a licensee.

10 Pursuant to Business and Professions Code section 4307(a), in the event that the license
11 issued to respondent Alamo Pharmacy or Respondent Armanyous is revoked or placed on
12 suspension, respondent Armanyous shall be prohibited from serving as a manager, administrator,
13 member, officer, director, associate or partner of any licensee with rights issued by the Board.

14 **MATTERS IN AGGRAVATION**

15
16 29. To determine the degree of discipline to be assessed against Respondent, if any,
17 Complainant alleges as follows:

18 a. On or about June 25, 2014, the Board issued Citation No. CI 2013 61590 to
19 Respondent Alfifi Amranyous for violating CCR section 1716 (deviating from the requirements
20 of a written prescription) and 1764 (unauthorized disclosure of patient medication information.)
21 Following an administrative hearing, the charge related to a violation of CCR 1764 was affirmed
22 and the modified citation became effective on December 4, 2015. The Board records confirm that
23 the citation was paid.

24 **PRAYER**

25 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
26 and that following the hearing, the Board of Pharmacy issue a decision:
27
28

- 1 1. Revoking or suspending Permit Number PHY 51901, issued to Armanyous
2 Healthcare Inc. dba Alamo Pharmacy, Afifi Guirguis Armanyous;
3 2. Revoking or suspending Pharmacist License Number RPH 45321, issued to Afifi
4 Guirguis Armanyous;
5 3. Prohibiting Respondent Armanyous from serving as a manager, administrator, owner,
6 member, officer, director, associate, or partner of a licensee, pursuant to the provisions of
7 Business and Professions Code section 4307(a).
8 4. Ordering Armanyous Healthcare Inc. dba Alamo Pharmacy and Afifi Guirguis
9 Armanyous to pay the Board of Pharmacy the reasonable costs of the investigation and
10 enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
11 5. Taking such other and further action as deemed necessary and proper.

12
13
14 DATED: August 20, 2019



15 ANNE SODERGREN
16 Interim Executive Officer
17 Board of Pharmacy
18 Department of Consumer Affairs
19 State of California
20 *Complainant*

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